

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

FILED

2011 FEB 15 PM 3:17

CLERK US DISTRICT COURT  
WESTERN DISTRICT OF TEXAS

UNITED STATES OF AMERICA,

) CRIMINAL NO.

Plaintiff

) INDICTMENT

BY DB DEPUTY

v.

) USAO # 2011R01554

SEAN GLEN McNIECE,

) [Violations:

) 18 U.S.C. § 1951- Interference with

) Commerce by Robbery (8 counts);

) 18 U.S.C. § 2113- Bank Robbery (2 counts)]

Defendant

**A11CR 089 LY**

THE GRAND JURY CHARGES:

COUNT ONE

**Interference with Commerce by Robbery  
[18 U.S.C. § 1951]**

1. At all times material to this Indictment, Shell was engaged in the business of selling oil, gas and merchandise through Shell branded establishments in interstate and foreign commerce and in an industry which affects interstate and foreign commerce.

2. On or about October 20, 2010, in the Western District of Texas, the Defendant,

**SEAN GLEN McNIECE,**

did unlawfully obstruct, delay and affect, and attempt to obstruct, delay and affect, commerce and the movement of articles and commodities in such commerce, by robbery, in that the Defendant did unlawfully take and obtain personal property, namely, United States currency, from a person and in the presence of another, namely, an employee(s) of *Shell Shoppers Mart at 1901 East Martin Luther King Jr. Boulevard in Austin, Texas* against their will by means of actual and threatened force, violence, and fear of injury to their person.

All in violation of Title 18, United States Code, Section 1951.

**COUNT TWO**  
**Interference with Commerce by Robbery**  
**[18 U.S.C. § 1951]**

1. At all times material to this Indictment, Tetco was engaged in the business of selling oil, gas and merchandise through Tetco Stores in interstate and foreign commerce and in an industry which affects interstate and foreign commerce.

2. On or about November 9, 2010, in the Western District of Texas, the Defendant,  
  
**SEAN GLEN McNIECE,**  
  
did unlawfully obstruct, delay and affect, and attempt to obstruct, delay and affect, commerce and the movement of articles and commodities in such commerce, by robbery, in that the Defendant did unlawfully take and obtain personal property, namely, United States currency, from a person and in the presence of another, namely, an employee(s) of *Tetco at 3801 West Parmer Lane in Austin, Texas* against their will by means of actual and threatened force, violence, and fear of injury to their person.

All in violation of Title 18, United States Code, Section 1951.

**COUNT THREE**  
**Interference with Commerce by Robbery**  
**[18 U.S.C. § 1951]**

1. At all times material to this Indictment, Shell was engaged in the business of selling oil, gas and merchandise through Shell branded establishments in interstate and foreign commerce and in an industry which affects interstate and foreign commerce.

2. On or about November 11, 2010, in the Western District of Texas, the Defendant,  
  
**SEAN GLEN McNIECE,**  
  
did unlawfully obstruct, delay and affect, and attempt to obstruct, delay and affect, commerce and the movement of articles and commodities in such commerce, by robbery, in that the Defendant did unlawfully take and obtain personal property, namely, United States currency, from a person and in the presence of another, namely, an employee(s) of *U-Mart Shell at 1316 West Braker Lane in Austin, Texas* against their will by means of actual and threatened force, violence, and fear of injury to their person.

All in violation of Title 18, United States Code, Section 1951.

**COUNT FOUR**  
**Interference with Commerce by Robbery**  
**[18 U.S.C. § 1951]**

1. At all times material to this Indictment, Tetco was engaged in the business of selling oil, gas and merchandise through Tetco Stores in interstate and foreign commerce and in an industry which affects interstate and foreign commerce.

2. On or about November 13, 2010, in the Western District of Texas, the Defendant,

**SEAN GLEN McNIECE,**

did unlawfully obstruct, delay and affect, and attempt to obstruct, delay and affect, commerce and the movement of articles and commodities in such commerce, by robbery, in that the Defendant did unlawfully take and obtain personal property, namely, United States currency, from a person and in the presence of another, namely, an employee(s) of *Tetco at 3801 West Parmer Lane in Austin, Texas* against their will by means of actual and threatened force, violence, and fear of injury to their person.

All in violation of Title 18, United States Code, Section 1951.

**COUNT FIVE**  
**Interference with Commerce by Robbery**  
**[18 U.S.C. § 1951]**

1. At all times material to this Indictment, Chevron was engaged in the business of selling oil, gas and merchandise through Chevron branded establishments in interstate and foreign commerce and in an industry which affects interstate and foreign commerce.

2. On or about November 18, 2010, in the Western District of Texas, the Defendant,  
  
**SEAN GLEN McNIECE,**  
  
did unlawfully obstruct, delay and affect, and attempt to obstruct, delay and affect, commerce and the movement of articles and commodities in such commerce, by robbery, in that the Defendant did unlawfully take and obtain personal property, namely, United States currency, from a person and in the presence of another, namely, an employee(s) of *Chevron at 2433 South Pleasant Valley Road in Austin, Texas* against their will by means of actual and threatened force, violence, and fear of injury to their person.

All in violation of Title 18, United States Code, Section 1951.

**COUNT SIX**

**Interference with Commerce by Robbery  
[18 U.S.C. § 1951]**

1. At all times material to this Indictment, Shell was engaged in the business of selling oil, gas and merchandise through Shell branded establishments in interstate and foreign commerce and in an industry which affects interstate and foreign commerce.

2. On or about November 21, 2010, in the Western District of Texas, the Defendant,

**SEAN GLEN McNIECE,**

did unlawfully obstruct, delay and affect, and attempt to obstruct, delay and affect, commerce and the movement of articles and commodities in such commerce, by robbery, in that the Defendant did unlawfully take and obtain personal property, namely, United States currency, from a person and in the presence of another, namely, an employee(s) of a *Shell station at 2241 South Interstate 35 in Austin, Texas* against their will by means of actual and threatened force, violence, and fear of injury to their person.

All in violation of Title 18, United States Code, Section 1951.

**COUNT SEVEN**  
**Interference with Commerce by Robbery**  
**[18 U.S.C. § 1951]**

1. At all times material to this Indictment, 7-Eleven was engaged in the business of selling oil, gas and merchandise through 7-Eleven branded establishments in interstate and foreign commerce and in an industry which affects interstate and foreign commerce.

2. On or about November 24, 2010, in the Western District of Texas, the Defendant,  
  
**SEAN GLEN McNIECE,**  
  
did unlawfully obstruct, delay and affect, and attempt to obstruct, delay and affect, commerce and the movement of articles and commodities in such commerce, by robbery, in that the Defendant did unlawfully take and obtain personal property, namely, United States currency, from a person and in the presence of another, namely, an employee(s) of a *7-Eleven store at 5901 Burnet Road in Austin, Texas* against their will by means of actual and threatened force, violence, and fear of injury to their person.

All in violation of Title 18, United States Code, Section 1951.

**COUNT EIGHT**  
**Interference with Commerce by Robbery**  
**[18 U.S.C. § 1951]**

1. At all times material to this Indictment, Shell was engaged in the business of selling oil, gas and merchandise through Shell branded establishments in interstate and foreign commerce and in an industry which affects interstate and foreign commerce.

2. On or about November 25, 2010, in the Western District of Texas, the Defendant,  
  
**SEAN GLEN McNIECE,**  
  
did unlawfully obstruct, delay and affect, and attempt to obstruct, delay and affect, commerce and the movement of articles and commodities in such commerce, by robbery, in that the Defendant did unlawfully take and obtain personal property, namely, United States currency, from a person and in the presence of another, namely, an employee(s) of a *Shell Shoppers Mart at 1901 East Martin Luther King Jr. in Austin, Texas* against their will by means of actual and threatened force, violence, and fear of injury to their person.

All in violation of Title 18, United States Code, Section 1951.



**COUNT NINE**  
**Bank Robbery**  
**[18 U.S.C. § 2113]**

On or about December 20, 2010, in the Western District of Texas, the Defendant,

**SEAN GLEN McNIECE,**

did enter a bank, namely, *Wells Fargo Bank at 2326 South Congress Avenue in Austin, Texas*, with intent to commit larceny, and did, by force, violence, and intimidation, knowingly take and attempt to take from the person and presence of another money belonging to and in the care, custody, control, management, and possession of Wells Fargo Bank.

All in violation of Title 18, United States Code, Section 2113(a).

**COUNT TEN**  
**Bank Robbery**  
**[18 U.S.C. § 2113]**

On or about December 24, 2010, in the Western District of Texas, the Defendant,

**SEAN GLEN McNIECE,**

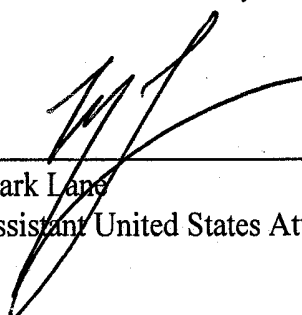
did enter a bank, namely, *Wells Fargo Bank at 1145 Airport Boulevard in Austin, Texas*, with intent to commit larceny, and did, by force, violence, and intimidation, knowingly take and attempt to take from the person and presence of another money belonging to and in the care, custody, control, management, and possession of Wells Fargo Bank.

All in violation of Title 18, United States Code, Section 2113(a).

**ORIGINAL SIGNATURE  
REDACTED PURSUANT TO  
E-GOVERNMENT ACT OF 2002**

JOHN E. MURPHY  
United States Attorney

By:

  
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Mark Lane  
Assistant United States Attorney